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PATENT

Attorney Docket No. 349

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James E. DeGrange, Jr., et al. )  
Serial No.: 09/777,786 ) Group Art Unit: Unassigned  
Filed: February 6, 2001 ) Examiner: Unassigned  
For: POWER BALANCED OPTICAL ADD )  
MUTLIPLEXER AND BALANCING )  
METHODS THEREFORE )

Assistant Commissioner for Patents  
Washington, D.C. 20231

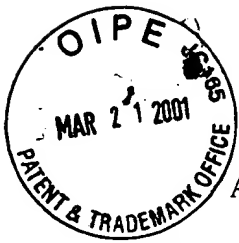
Sir/Madam:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. To the knowledge of the undersigned, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-referenced application.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies this documents as prior art against any claim in the application and Applicants determine that the cited documents does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of the documents.



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Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents should the document be applied against the claims of the present application.

Respectfully submitted,

Dated: March 21, 2001

By:

Michael R. Cammarata  
Reg. No. 39,491

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**ATTORNEY DOCKET NO. 349**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: Serial No.: 09/777,786  
Title: POWER BALANCED OPTICAL ADD MULTIPLEXER AND  
BALANCING METHODS THEREFORE  
Inventor: James E. DeGrange, Jr. and Sridhar Balakrishnan

Sir/Madam:

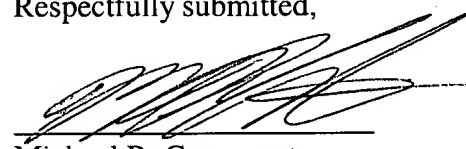
We enclose the following papers for filing in the United States Patent and Trademark Office in connection with the above-referenced patent application.

1. Co-Pending Letter;
2. Information Disclosure Statement Under 37 C.F.R. §1.97(b); and
3. PTO Form 1449 IDS.

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. Section 1.16 and Section 1.17, at any time during the pendency of this application, or credit any over payment of such fee(s) to Deposit Account No. 50-0308.

Respectfully submitted,

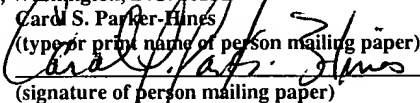
By:

  
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Certification Under 37 C.F.R. Section 1.10

I hereby certify that this Transmittal and the documents referred to as being enclosed therein are deposited with the United States Postal Service on this 21<sup>st</sup> day of March, 2001 in an envelope marked as "Express Mail Post Office to Addressee" Mail Label Number EL716682592US addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231

Carol S. Parker-Hines  
(type or print name of person mailing paper)  
  
(signature of person mailing paper)



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For: POWER BALANCED OPTICAL ADD )  
MUTLIPLEXER AND BALANCING )  
METHODS THEREFORE )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

LETTER

Under the provisions of MPEP § 2001.06(b), the Examiner is hereby advised of the following co-pending U.S. Application(s):

<u>Appl. No.</u>	<u>Filing Date</u>	<u>Group</u>
09/777,774	February 6, 2001	Unassigned

The subject matter contained in the above-listed co-pending U.S. application(s) may be deemed to relate to the present application, and thus may be material to the prosecution of this instant application.

The above-listed co-pending application(s) is(are) not to be construed as prior art. By bringing the above-listed application(s) to the attention of the Examiner, Applicant(s) do(does) NOT waive any confidentiality concerning the above-listed co-pending application(s) or this application. See MPEP § 101. Furthermore, if said application(s) should not mature into patents,



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application(s) should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account No. 50-0308.

Respectfully submitted,

Dated: March 21, 2001

By:

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